

HONORABLE JAMES L. ROBART

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICROSOFT CORPORATION,

Plaintiff,

v.

MOTOROLA, INC., et al.,

Defendants.

No. C10-1823-JLR

**(MICROSOFT'S PROPOSED)
AMENDED ORDER SETTING
TRIAL DATES AND RELATED
DATES**

MOTOROLA MOBILITY, INC., et al.,

Plaintiffs,

v.

MICROSOFT CORPORATION,

Defendant.

This matter comes before the Court on the parties' Joint Motion (1) for an order granting an amended scheduling order and (2) for clarification regarding the exchange of non-infringement contentions. Having considered the Motion, the Court deems itself fully advised.

Now, therefore,

**(MICROSOFT'S PROPOSED) AMENDED
ORDER SETTING TRIAL DATES AND
RELATED DATES - 1**

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IT IS ORDERED that, good cause having been shown, the parties' joint request to modify the deadlines set forth in the Court's Minute Order Setting Trial Dates and Related Dates, issued on August 5, 2011 (Dkt. No. 76), is GRANTED.

IT IS FURTHER ORDERED that the parties are not required to exchange non-infringement contentions.

Accordingly, the Court hereby adopts the following amended case schedule:

| Event | Date |
|---|--|
| Preliminary infringement contentions and disclosure of asserted claims | September 2, 2011 |
| Disclosure of preliminary invalidity contentions | September 30, 2011 |
| Exchange proposed claim terms for construction | December 9, 2011 |
| Preliminary Claim Chart | December 23, 2011 |
| Joint Claim Chart and Prehearing Statement | January 13, 2012 |
| Opening claim construction briefs (24 pages per side) | January 27, 2012 |
| Responsive claim construction briefs (24 pages per side) | February 10, 2012 |
| <u>Markman</u> hearing at 09:00 AM | March 9, 2012 |
| Reports from expert witnesses under FRCP 26(a)(2) due | April 27, 2012 |
| Rebuttal expert reports due | May 25, 2012 |
| All motions related to discovery must be noted on the motion calendar no later than the Friday before discovery closes pursuant to CR7(d)(3) or CR37(a)(2)(B) | June 8, 2012 (" <i>noted by</i> " date) |
| Discovery completed by | June 15, 2012 |
| All dispositive motions must be filed by and noted on the motion calendar no later than the fourth Friday thereafter (see CR7(d)) | July 24, 2012 (" <i>filed by</i> " date) August 17, 2012 (" <i>noted by</i> " date) |
| Settlement conference per CR 39.1(c)(2) held no later than | August 24, 2012 |
| Mediation per CR 39.1(c)(3) held no later than | September 14, 2012 |

(MICROSOFT'S PROPOSED) AMENDED
ORDER SETTING TRIAL DATES AND
RELATED DATES - 2

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| | |
|--|--|
| 1 All motions in limine must be filed by and noted on the motion calendar no 2 later than the second Friday thereafter | October 22, 2012 (" <i>filed by</i> " date) November 2, 2012 (" <i>noted by</i> " date) |
| 3 Agreed pretrial order | November 8, 2012 |
| 4 Pretrial conference to be held at 02:00 PM on | November 13, 2012 |
| 5 Trial briefs, proposed <i>voir dire</i> questions and jury instructions | November 19, 2012 |
| 6 Jury Trial (5 days) | November 26, 2012 |

7 **IT IS SO ORDERED.**

8 DATED this ____ day of _____, 2011.

9 _____
10 HONORABLE JAMES L. ROBERT
U.S. DISTRICT COURT JUDGE

11 **Presented by:**

12 DANIELSON HARRIGAN LEYH & TOLLEFSON LLP

13 By /s/ Christopher Wion
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15 Christopher Wion, WSBA #33207
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(MICROSOFT'S PROPOSED) AMENDED
ORDER SETTING TRIAL DATES AND
RELATED DATES - 3

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